

MILFORD PLANNING BOARD PUBLIC HEARING
June 16, 2015 Board of Selectmen's Meeting Room, 6:30 PM

Members Present:

Christopher Beer, Chairman
Janet Langdell, Vice Chair
Paul Amato
Steve Duncanson
Judy Plant
Tim Finan, Alternate member
Susan Robinson, Alternate member

Staff:

Jodie Levandowski, Town Planner
Shirley Wilson, Recording Secretary
Bill Parker, Community Development Director
Dan Finan & David Bosquet, Videographers

Excused:

Kathy Bauer

Perspective members present:

Veeral Bharucha

MINUTES:

1. Approval of minutes from the 5/19/15 meeting.

NEW APPLICATIONS:

2. **Granite Town Motel, LLC/Brian Beaupre – Elm St – Map 16, Lot 1.** Public Hearing for a minor subdivision to create one new non-residential lot in the Integrated Commercial Industrial (ICI) District.
(New application- Fieldstone Land Consultants, PLLC)
3. **Alene Candles – Scarborough Ln – Map 6, Lots 42-5, 42-7, 42-8 & 46.** Public Hearing for multiple lot line revisions to extend Scarborough Ln and make way for site expansion at Alene Candles; and for two (2) waiver requests from Milford Development Regulations Article V, Section 5.06 *Submittal Requirements* and Article VII, Section 7.02 *Roadway Standards*.
(New application- Keach-Nordstrom Associates)
4. **Alene Candles – Scarborough Ln – Map 6, Lots 42-5, 42-7.** Public Hearing for a major site plan to extend Scarborough Ln 600ft and to construct a 62,043SF warehouse/office expansion with an additional parking area; and for two (2) waiver requests from Milford Development Regulations, Article VI, Section 6.05.6:D, *Driveway* and Section 6.08.5 *Landscaping Standards*.
(New application- Keach-Nordstrom Associates)
5. **Little Nell Trust – Capron Rd – Map 43, Lot 57.** Public Hearing for a minor subdivision creating one new lot. *(New application- Keach-Nordstrom Associates)*
6. **Little Nell Trust – East Ridge Apartments – Capron Rd – Map 43, Lot 57.** Public Hearing for a major site plan; to construct sixty (60) new apartment units in two three-story buildings with associated site improvements, and a waiver request from Milford Development Regulations, Article VI, Section 6.05.4, *Table of Off-street Parking*. *(New application- Keach-Nordstrom Associates)*
7. **TMC New England, LLC/Platinum Holdings, LLC – 321 Nashua St – Map 30, Lot 58.** Public Hearing for a minor subdivision and lot consolidation in the Commercial District for the proposed CVS site plan. *(New application-VHB)*
8. **TMC New England, LLC et al – Clinton & Nashua Streets – Map 30, Lots 58, 59, 60 & 61.** Public Hearing for a major site plan to construct a 13,600SF CVS pharmacy with associated site improvements/Waiver requests from the Milford Development Regulations, Article VI, Section 6.05, *Parking Requirements*, Section 6.08, *Landscaping Requirements* and Article VII, Section 7.03 *Sidewalks*/Waiver requests from the Milford Zoning Ordinance, Article VI, Section 6.05.6:C.2, *Parking Areas* & C:3, *Build-to Zone* in accordance with 6.05.7, *Waiver Provision*
(New application-VHB)

Chairman Beer called the meeting to order at 6:40PM. He introduced the Board and staff and explained the ground rules for the public hearing. Tim Finan, alternate member was called to sit.

MINUTES:

P. Amato made a motion to approve the minutes from the 5/19/15 meeting with amendments submitted by C. Beer. J. Langdell seconded and all in favor. Vote 6-0-0; motion carried.

NEW BUSINESS:

Granite Town Motel, LLC/Brian Beaupre – Elm St – Map 16, Lot 1. Public Hearing for a minor subdivision to create one new non-residential lot in the Integrated Commercial Industrial (ICI) District.

No abutters were present.

Chairman Beer recognized:

Mike Plough, Fieldstone Land Consultants, PLLC

Brian Beaupre, Granite Town Motel, LLC

P. Amato made a motion to accept the application. S. Duncanson seconded and all in favor. J. Levandowski verified that the application was complete. S. Wilson read the abutters list into the record. J. Langdell made a motion that the application did not pose potential regional impact. S. Duncanson seconded and all in favor.

M. Plough presented plans dated 5/15/15 and gave an overview of the proposed conventional subdivision. The new lot, 16/1-1 will contain the existing one-story residence with 20,040SF and lot 16/1 will be reduced to 27,697SF for the existing motel. The parcels are in the ICI district and part of the Elm Street Gateway Overlay District. A special exception was granted by the ZBA on 5/7/15 from Article V, section 5.08.2:A.8 for reduced side setbacks. An easement is proposed on each lot for maintenance and access.

J. Langdell said she understood that this was not a site plan, but since the motel site would be changing, she inquired about the location of the dumpster. M. Plough replied that was one of the reasons for the easements. B. Beaupre showed the area for the dumpster on the plan and said there will be some snow storage on the easement and some in back of the site. J. Langdell acknowledged that the motel is an active, grandfathered business; however, if the subdivision is approved, the majority of the landscaping will be on the new lot with the house. Is there something that can be done to enhance the landscaping at the motel? B. Beaupre said there are lilac bushes in the back and green space that goes all the way around the property. The best way to address this would be to put flower planters on or by the building. J. Langdell said that some element of landscaping could be added to the strip in front to improve the appearance because this property is located in the West Elm Street Gateway District corridor. This is a start and the applicant could work with staff to add some flowering bushes and plants. She then inquired if all the rooms were furnished. B. Beaupre said when he bought the property, it was in disrepair and he threw away 99% of the furniture. Some of the rooms are still being rehabbed, so there is minimal furniture in some of the rented rooms and some rooms have no furniture because people prefer to bring their own. J. Plant asked if the rooms were being rented as apartments. B. Beaupre responded that he pays 9% rooms and meals tax to the State of New Hampshire; it is an extended stay motel. The customers sign forms and need proof of another address. Customers also get a list of the rules but it's a different type of property than a Hilton and everyone will agree that the motel has been a lot quieter than in the past. J. Langdell said whatever constitutes the use that this has been running under should probably be deferred to code enforcement, but it does get to concerns with parking for the nine rentable rooms. P. Amato stated that this application meets our requirements for a subdivision and further discussion on the use followed. J. Langdell inquired about the open space requirements as there were no calculations on the plan. M. Plough replied it was more than 30%. J. Levandowski added that note #8 should be revised to add the open space for each lot.

Chairman Beer opened the discussion to the public and read email correspondence from Tamara Benjamin dated 6/10/15 to clarify discussion from the ZBA meeting. J. Langdell said, for full disclosure, she did speak with Ms. Benjamin and suggested she contact staff and to submit written correspondence. J. Levandowski verified that the house would lose any grandfathering as a residence in the ICI District and any commercial change of use would have to come to the Board. That is also a staff recommendation to add as a condition of approval.

The public portion of the meeting was closed.

P. Amato made a motion to conditionally approve the application, subject to staff recommendations and items discussed:

1. A letter from a licensed surveyor be submitted to the Building Department attesting that all lot monumentation has been set prior to final Planning Board approval or a security be put in place for all property bounds and submitted to the Office of Community Development,
2. Note #2 be revised to depict the correct lot number;
3. The easement documents be submitted to the Town with the final plans for recording at the Hillsborough County Registry of Deeds,
4. A note be added to the plan stating that lot 16-1-1 shall be subject to police and library impact fees,
5. A note be added to the plan stating: “*Conversion of three units into one on-site manager’s unit shall require a building permit and compliance with all applicable building and fire codes and inspections*”,
6. A note be added to the plan stating that the subject lots are within the West Elm Street Gateway District,
7. A note be added to the plan stating that any change of use to lot 16-1 or 16-1-1 shall require an updated site plan and Planning Board approvals,
8. The existing and proposed lot areas, as well as open space for each lot be added to the plan notes,
9. The lots to be renumbered to reflect correct Town of Milford numbering system (16-1 and 16-1-1),
10. The dumpster location and snow storage area be identified and shown on the plan,
11. The owner work with staff regarding landscaping improvements on lot 16/1.

J. Langdell seconded and all in favor. Vote 6-0-0; the motion carried.

Alene Candles – Scarborough Ln – Map 6, Lots 42-5, 42-7, 42-8 & 46.

1. Public Hearing for multiple lot line revisions to extend Scarborough Ln and make way for site expansion at Alene Candles; and for two (2) waiver requests from Milford Development Regulations Article V, Section 5.06 *Submittal Requirements* and Article VII, Section 7.02 *Roadway Standards*.
2. Public Hearing for a major site plan to extend Scarborough Ln 600ft and to construct a 62,043SF warehouse/office expansion with an additional parking area; and for two (2) waiver requests from Milford Development Regulations, Article VI, Section 6.05.6:D, *Driveway* and Section 6.08.5 *Landscaping Standards*.

P. Amato recused himself for this application.

No abutters were present.

Chairman Beer recognized:

Paul Amato, Gray Farm Realty of Milford, LLC & KSH Realty, LLC

Patrick Colburn, Keach-Nordstrom Associates, Inc.

Brent Cole, Keach-Nordstrom Associates, Inc.

C. Beer read the notices and stated that both applications were complete. J. Langdell made a motion to accept both applications. S. Duncanson seconded and all in favor. J. Langdell made a motion that both applications did not pose potential regional impact. S. Duncanson seconded and all in favor. S. Wilson read the abutters list for both applications into the record.

P. Colburn presented both applications from plans dated 5/14/15 and gave a brief history of Alene Candles. He described the various lot line adjustments shown as parcels A, B & C that line up with the deed exhibits associated with lot 6/46. These changes will allow for a 600 linear foot extension on the north side of Scarborough Ln and to make way for the planned Alene Candles expansion on lot 6/42-7, increasing to 13.5 acres and parking on lot 6/42-5, now 5.2 acres. The site plan assumes approval of the subdivision and they are tied together. We are proposing a 62,000 SF building for warehouse, inclusive of 15,400 SF two-story office space. The plan will fix the current parking deficiency and shows 138 spaces on both sides of Scarborough Ln with a future expansion for 50 spaces totaling 189 spaces. The site will now be considered a campus and there is sufficient parking to meet code for the manufacturing, office and warehouse uses. There will be cross access agreements to benefit the entire campus and also a proposed access easement over the relocated 50’ frontage for 6/42-8 benefiting 6/42-5. There will be a crosswalk over Scarborough Ln. The road extension comes with municipal sewer and water and we are working with PSNH regarding the overhead power lines and but will put underground utilities to service the facility. For stormwater, we are maintaining the existing open drainage

section of Scarborough Ln and will remove a portion of the parking lot at Alene building #1 creating a micro pool extended detention pond. That pond has been designed to provide treatment for all lot 6/42-7. A hard pipe roof drain will convey the stormwater from the flat roof to an above ground infiltration area under the power lines to recharge the groundwater table. He then reviewed the drainage system, the landscaping, lighting plans and details of the waiver requests. The landscaping requirements for this use become overwhelming with the amount of building face and parking area so we are asking for relief with the proposed plan that is in keeping within the spirit of the ordinance providing shrubs along the new office portion of the building and shade trees and shrubs in and amongst the parking areas. The second waiver is to make the driveway width in front of Alene building #1 the same as for Alene building #2 to better facilitate delivery trucks for both locations and enhance the maneuverability although wider than permitted by the Development Regulations. The state AoT and sewer permitting is pending. The special water connection to fix the existing deficiencies at Scarborough Ln is still in the works. An issue has been identified here, during fire flow events relating to available water pressure. There is flow from Dram Cup water storage tank, but the problem is a lack of elevation over the distance from the tank to the roof height of the sprinkler systems. Currently, all the uses on Scarborough Ln are fed appropriate pressure through an existing fire pump in the Hitchiner building. The Fire Department asked that we investigate alternatives to fix that as part of this expansion project. An agreement has been reached which includes extending the water main under Scarborough Ln, by tying it into the discharge line exiting the Dram Cup tank and creating a loop so that the water can feed down Scarborough Ln. That will help tremendously with the flow. Mr. Amato has also worked with the sprinkler designers for alternatives, one of which has been chosen by Fire and Water Utilities that will install a series check valves and keep the fire booster in Hitchiner online but will prevent servicing anything other than Scarborough Ln. The sprinkler designer has come up with a way to serve Alene Candles with existing pressure from the Dram Cup tank. Also the cul-de-sac does not have a center island to keep a landing zone area for medical response helicopters. J. Levandowski referenced the documentation from Wright Pierce dated 6/15/15 and communication from Water Utilities stating that scenario #D, as outlined will be the acceptable upgrades for this project and from the Fire Department also offering their blessings for the options

S. Duncanson inquired about the dimensions of Scarborough Ln. P. Colburn replied currently it is 1,500 ft and extending to 2,100 linear feet. We are also requesting two waivers associated with the subdivision. One would allow a cul-de-sac in excess of the 1,000 ft dead end road regulations and one from surveying all the associated parcels. We have provided adequate survey for the site plan area and relied on GIS data for the remainder of the parcels. S. Duncanson asked what the driveway width will be. P. Colburn replied that the new width at the southerly ROW will be 68ft and 110ft at the northerly end. The east side driveway is to be widened as the current situation doesn't work.

J. Langdell asked if there would be a café in the office and if so, would it be open to the public as the parking would be affected. P. Colburn said that will actually be a breakroom with vending machines and café is an inappropriate term; that language may have come from the narrative in the traffic report. J. Langdell brought up the easement on lot 6/42-8. P. Colburn stated that the northerly entrance to the parking lot is the beginnings of what could be a driveway to the Hitchiner piece and gives 50ft of frontage on a major roadway. J. Langdell brought up the environmental coordinator's comments. P. Colburn stated that the graphic drainage computations representing how the water exits the detention pond are in the drainage report and has nothing to do with the construction; we will work with Mr. Elkind to make sure everything is addressed.

J. Levandowski stated that we've received minor, technical revisions from the Sewer Department this afternoon pertaining to the size and angle of the pipe and we will provide those comments to the applicant.

Chairman Beer opened the discussion to the public for comments on both applications.

A. Fraizer, Conservation Commission, asked if the lot line adjustments would affect the open space on the various lots and where the open space was located. P. Colburn reviewed the open space calculations from note #14 on sheet 1 of 34, post lot line adjustment. P. Amato then showed the details for lots 6/42-7 and 6/42-5 and stated lot 6/46 consists of 100 acres that will remain in current use as it is undeveloped. J. Levandowski clarified that the open space doesn't have to be defined on site plans, only that it have at least 30% of the lot area.

Chairman Beer closed the public portion of the meeting.

Waivers

P. Colburn read the *Waiver Request and Rational* dated 4/29/15 that pertained to the subdivision application.

J. Langdell made a motion to grant a waiver from Milford Development Regulations Article V, Section 5.06 *Submittal Requirements*, as requested. S. Duncanson seconded and all in favor. Vote 5-0-0; motion carried.

J. Langdell inquired about the need for an easement from the cul-de-sac for future development. P. Colburn replied that we are providing frontage for lot 6/46 at the very north end of the cul-de-sac. J. Langdell noted that the dead-end regulations come out of concern for fire safety but applicant has been working with the Fire Department for the larger needs for industrial suppression and to benefit the potential for future development in that area.

T. Finan asked about the road to the storage tank. P. Amato said we are working with the owner of 6/46 to allow the Town to access the water storage tank from Scarborough Ln in the winter as the existing road from Savage Rd is in rough condition. There has been a lot of thought put into this as to what is best for the applicant and the surrounding properties.

J. Langdell made a motion to grant a waiver from Milford Development Regulation Article VII, Section 7.02 *Roadway Standards*. S. Duncanson seconded and all in favor. Vote 5-0-0; motion carried.

P. Colburn read the *Waiver Request and Rational* dated 5/15/15 that pertained to the site plan application.

J. Langdell made a motion to grant a waiver from Milford Development Regulations Article VI, Section 6.05.6:D *Driveway*. S. Duncanson seconded and all in favor. Vote 5-0-0; motion carried.

C. Beer read staff comments pertaining to the waiver from landscaping requirements “*the plan presented meets the intent of the regulations and provides the required amount of planting in an alternative layout. Staff supports this waiver request from these landscaping details.*” J. Langdell added that the landscaping requirements don’t work in this type of setting and the applicant has presented an alternative that adds additional green to the site.

J. Langdell made a motion to grant a waiver from Milford Development Regulation Article VI, Section 6.08.5 *Landscaping Standards*. S. Duncanson seconded and all in favor. Vote 5-0-0; motion carried.

S. Duncanson made a motion to approve the application for the lot line adjustments subject to staff recommendations on the memo dated 6/16/15:

1. A note(s) be added to the plan listing all approved waivers and dates of approval;
2. A letter from a licensed surveyor be submitted to the Building Department attesting that all lot monumentation has been set prior to final Planning Board approval or a security be put in place for all property bounds and submitted to the Office of Community Development;

J. Plant seconded and all in favor. Vote 5-0-0; motion carried.

S. Duncanson made a motion to approve the application for the site plan subject to staff recommendations on the memo dated 6/16/15 and items discussed tonight:

1. Water pressure concerns be worked out with the Fire Department and Water Utilities;
2. A note(s) be added to the plan listing all approved waivers and dates of approval;
3. A note be added to the plan indicating that: “All water, sewer, road (including parking lot) and drainage work shall be constructed in accordance with the Town of Milford’s Water Utilities Department and Public Works Department standards.”
4. A note be added to the plan indicating that: “As-built plans shall be delivered to the Building Department prior to a Certificate of Occupancy being issued.”
5. The applicant work with staff to address stormwater and any outstanding issues.

J. Plant seconded and all in favor. Vote 5-0-0; motion carried.

Chairman Beer called for a 10 minute recess at 7:50.

Little Nell Trust – Capron Rd – Map 43, Lot 57.

1. Public Hearing for a minor subdivision creating one new lot.
2. Public Hearing for a major site plan; to construct sixty (60) new apartment units in two three-story buildings with associated site improvements, and a waiver request from Milford Development Regulations, Article VI, Section 6.05.4, *Table of Off-street Parking*.

Abutters present:

Glenna Daniels, Nashua St

Gordon Daniels, Nashua St

Bonnie Daniels, Nashua St

Chairman Beer recognized:

Patrick Colburn, Keach-Nordstrom Associates, Inc.

Tony Basso, Keach-Nordstrom Associates, Inc.

Brent Cole, Keach-Nordstrom Associates, Inc.

Heather Monticup, Greenman-Pedersen

John Cronin, Cronin, Bisson & Zalinsky, PC

Ashley Scott, Cronin, Bisson & Zalinsky, PC

Joia Hughes, Development Manager for Red Oak Apartment Homes, Inc.

C. Beer read the notices and stated that both applications were complete. J. Langdell made a motion to accept both applications. P. Amato seconded and all in favor. P. Amato made a motion that both applications did not pose potential regional impact. S. Duncanson seconded and all in favor. S. Wilson read the abutters list for both applications into the record.

J. Cronin presented the following plans for consideration: Residential Subdivision Plan dated 6/3/15, Multi-Family Residential Site Plan for East Ridge Apartments dated 6/3/15, Master Site Plan for East Ridge Apartments dated 4/9/15, and Elevation Plan dated 6/16/15.

J. Cronin explained that the applications are for a uniquely configured subdivision creating one new lot, and for a proposed 60 unit affordable apartment facility with the customary parking waiver. This is not a workforce housing project and Milford's ordinance and New Hampshire law does not distinguish affordable housing, it is looked at as apartments regardless of its market target. The original conceptual plan for 120 apartments was generally well-received by the Town, at the time. The current owner has since purchased the property and has made significant investment. Their market mission is to have an apartment home for anyone who walks in the door, no matter what the pricing factor may be. As this came back on the drawing board for a 120 unit tax credit property, there seemed to be some change in the political winds and some resistance surfaced in the press and other places that maybe Milford had enough apartments and this wasn't the type of use the Town wanted. Milford's master plan talks about having a diverse base of housing stock. This new plan fits the client's market mission and the town's master plan. We have the Eastern Trails property which is a middle market apartment that has been well maintained. The applicant is professional in what they do throughout the state, makes improvements to the properties and is an excellent manager. What they don't have is high-end or luxury product to offer, so we are limiting the tax credit piece and taking the yield to make a luxury project. We wanted to create linkage but keep separate lots for the tax credit and luxury projects and keep the back area as open space leaving it undeveloped. Milford does not have lot shape requirements so we used the 15ft spacing to make a loop around the new lot which connects to the back area to satisfy the need for lot size and density. The overall plan is to have each of the properties work from integrated point of view when they're built. There would be perpetual cross easements and reciprocal easements for trails and amenities including linkage to the back piece. Is it perfect, probably not; but it is a way to keep the fee simple interest of the respective properties independent, be more palatable for financing and address the concerns with having 120 tax credit financing properties. A luxury product will buffer the use.

Subdivision:

P. Colburn explained that lot 43/57 will be twelve (12) acres; eight (8) acres in the field that will support the construction which will be contiguous by way of the 15ft linkage to the four (4) acre backland to get the density of sixty (60) units. The new lot 43/57-1 will have frontage on Capron Rd and will house future luxury apartments. From the ground, the residents of the tax credit apartments will have the ability to walk across the

land for the luxury apartments to utilize the back area. The main purpose of the subdivision is for financing and discussion ensued. J. Langdell stated that residents would still be able to use the 15ft trail, along the perimeter to get to the trail connection

P. Amato inquired about the density without the back acreage. J. Cronin replied forty (40) units for eight (8) acres. P. Colburn referenced sheet 1 of the master site plan that shows future development and explained that the combined twenty-five (25) acres supports a total of 125 units; sixty (60) with this current site plan and sixty-five (65) as part of future development on lot 43/57-1. The land and terrain on 43/57-1 restricts the location of the future sixty-five (65) units, so future buildings C & D actually dictate the property line.

S. Duncanson stated there is more than 1,400ft of narrow walkway from the front to the back of lot 43/57. How do you get past the damp areas? J. Langdell also referenced a proposed bridge. J. Cronin explained that the connection is to get the connectivity of the lot for the density. To get people to the back area, the most practical approach would be to create a trail or walkway on the best land and bind it with a perpetual, reciprocal easement over lot 43/57-1.

J. Langdell said this site is peculiar and agreed with the staff recommendation for a site walk. She asked if there is value to the back area for trails and recreation? She also referenced the prior conceptual discussion and asked why the applicant is doing a subdivision instead of doing a master plan with future phasing. J. Cronin said the financing is a big factor and it is better to have a clean mortgage on the respective parcels. Lenders wouldn't want to mix the mortgage for the tax credit property with an unrestricted property. P. Amato said he understood that but this is your creative way to get the total density without doing the entire project because of outside forces. J. Cronin said we are allowed to do that; although you may not like it, there is nothing in your ordinance to prevent this and it works. You won't know the difference on the ground when these apartments get built. There seems to be some discord now, when the 125 tax-credit units were well received a year ago. J. Plant said we gave no indication of what our feelings were at that time; we only heard the presentation. J. Langdell said the original plan was a mix of housing and you can't compare the presentations. P. Amato acknowledged that our ordinance does not specifically prohibit this, but it clearly does not meet the spirit of our subdivision regulations. Prior residential subdivisions did configure lots creatively to get more density but they also reduced the roadways. This is different. Another way to look at this would be to put forty-two (42) units on the smaller lot 43/57 and create more density with the luxury units on the larger lot 43/57-1 without creating a picture-frame lot that would be more advantageous to the Town. S. Duncanson asked if there was a guarantee to put in the luxury units. J. Cronin said there are many ways and it could be done as a condition or covenant. P. Amato clarified this site plan is only for the economy units. J. Cronin said there is worry of losing active and substantial development and the four year build out if there is a gap in the market when they are approved together.

Chairman Beer opened the hearing for comment and questions pertaining to the subdivision.

A. Fraizer, Conservation Commission, said a 15ft open space buffer is significantly lower than what we've requested in other plans for trail access. That is minimal so a trail easement over lot 43/57-1 would be more ideal. Also, there may be a future wetland crossing in the spur of lot 43/57-1 for road access to Capron Rd. Would it possible to add wording to prohibit the back part of 43/57 from future development? The Commission would also be open to a site walk. J. Cronin said we could address that concern with a covenant.

Chairman Beer closed the public portion of the meeting.

Site Plan:

J. Cronin addressed staff comments from the staff memo dated 6/16/15. Decks are not shown on the elevation plan per the property manager's instructions as they can become unwanted storage space, have water/snow management issues and are not a good place to put gas grills. The engineer will be meeting with DPW tomorrow. The single access will be reconfigured and also the drive will be continued and loop around the building A, per the Fire Department's request.

J. Hughes distributed copies of the *East Ridge Apartments Project Proposal* and reiterated that we really pride ourselves on having an apartment for everyone. We have an existing portfolio of 396 units in Milford and noticed that there were people we were consistently turning away because they couldn't afford the units or they were

looking for something bigger and more family friendly. We are proposing eighteen (18) one-bedroom units, thirty (30) two-bedroom units and twelve (12) three-bedroom units. Our application for tax credit housing held the rents to \$769-\$915 for one bedroom units, \$916-\$1,101 for two-bedroom units and three-bedroom units at \$1,268. We are seeing expansion of area companies and feel there is a need for this type of housing. The income limits are based figures that came out in March, 2015 and she reviewed the income qualifications. According to the *jobs retention survey* done by UNH, there are a number of jobs in the area that would qualify; skilled and unskilled manufacturing and municipal jobs. She then read a listing of full-time municipal positions based on information received from the community Development Office. J. Langdell noted that not all were full-time. J. Plant brought up another property in town with income limits. J. Hughes said that facility had one vacancy and saw a steady rent up of one bedroom apartments and a little slower on the two bedroom units. There is a minimum income to rent the property and maximum income to stay in the property. That's where the luxury apartments come in, residents can move on and stay in the same area. We have a total of six handicap units which qualifies as 10%; four (4) one-bedroom and two (2) two-bedroom units.

J. Langdell inquired about the DPW comments regarding discussions with the engineer. P. Colburn said neither he or the development team is aware of any discussions, that's why we are meeting with Rick Riendeau tomorrow. J. Langdell also mentioned some concerns with off-site issues such as sidewalks and the Nashua St Capron Rd intersection. We saw the conclusions of a traffic study but there should be further discussion. From practicality, it's not safe at certain times. S. Duncanson agreed.

J. Cronin said the assessor was certainly correct in her comments about the ability to tax here. RSA 75:1A was amended and that is an election by the property owner and based on his experience with other tax credit properties, it has not functioned as expected. Sidewalks are always a touchy issue. They are expensive and our preference would be to do a fair share allocation which is more equitable and effective. We will see what the necessitation of this plan is, in the whole. J. Langdell stated that the town has a sidewalk plan and a Nashua St Sidewalk contribution fund.

P. Amato said this intersection is influenced by traffic lights for traffic coming from the east; however, we still have a problem with traffic coming from the west. The intersection should be looked at from a design standpoint, not just for traffic. J. Langdell said this is similar to another section of Nashua St and brought up the much needed light at Ponemah Hill Rd which might also have impact on this intersection. C. Beer said the second light by Shaws allows U-turns, so there could be right turn only out. A member of the audience added that there was an accident at Capron Rd on her way to the meeting tonight.

Chairman Beer opened the hearing to the public for comment on the site plan.

A. Fraizer, Conservation Commission, inquired about the MFD request to extend the roads around the buildings. P. Colburn said the extension will go all the way around building A only and won't affect the wetland crossing.

C. Beer read the petition from the *Souhegan Valley Manufactured Housing Cooperative and tax payers of M43, lot 59M* received 6/15/15 with 33 signatures that conveyed the residents concern with noise, light pollution and the diminished privacy along the SVMHC property line. The residents are requesting a fence.

T. Basso stated that the lighting will be downcast cutoff fixtures and the closest building will be 100ft from the property line so we are providing much more than the required 15ft setback. J. Cronin added that a fence won't really do much in terms of buffer, based on the elevation and the height of the building.

Chairman Beer closed the public portion of the meeting.

J. Langdell recalled some comments at the conceptual discussion about common space between the parking areas and said she didn't see any neighborhood elements such as recreational or play areas on this plan. She then read the Heritage Commission's comments dated 6/10/2015, "*We find no community elements to foster a sense of place or neighborhood in this project.*" J. Cronin explained the shared easements and amenities. J. Langdell said those are all potential; we are here to review and evaluate this plan.

A site walk was scheduled for Tuesday, June 23, 2015 at 6:00pm. Everyone should meet at the paved drive on Capron Rd. The applicant was asked to stake out the building locations.

P. Amato made a motion to table both applications to the 7/21/15 meeting. S. Duncanson seconded and all in favor. Vote 6-0-0; motion carried.

Chairman Beer called for a five minute recess.

TMC New England, LLC/Platinum Holdings, LLC – 321 Nashua St – Map 30, Lot 58.

1. Public Hearing for a minor subdivision and lot consolidation in the Commercial District for the proposed CVS site plan.
2. Public Hearing for a major site plan to construct a 13,600SF CVS pharmacy with associated site improvements/Waiver requests from the Milford Development Regulations, Article VI, Section 6.05, *Parking Requirements*, Section 6.08, *Landscaping Requirements* and Article VII, Section 7.03 *Sidewalks/Waiver* requests from the Milford Zoning Ordinance, Article VI, Section 6.05.6:C.2, *Parking Areas & C:3, Build-to Zone* in accordance with 6.05.7, *Waiver Provision*

Abutters present:

Scott Hasu, Clinton St

Susan Jones, Clinton St

Bernie Grimard, Clinton St

Aaron Jowders, Clinton St

Janet Chapman, Nashua St

Lyn Coakley, Nashua St

Chairman Beer recognized:

Dave Fenstermacher, VHB

Gordon Leedy, VHB

Nick Saunders, VHB

Richard Westergren, Poyant Signs

Lou Eyster, T.M Crowley & Associates

John Sokul, Hinckley, Allen & Snyder, LLP

Scott Catallo, NORR Architects

Brad Westgate, representing Rolf & Kathleen Bremer and Platinum Holding Co, LLC

C. Beer read the notices and stated that both applications were complete. J. Langdell made a motion to accept both applications. T. Finan seconded and all in favor.

Larry Kramar-322 Nashua St stated, as a matter of housekeeping, that the individual abutters were not notified individually. A notice was sent to a past condo association president, specifically to unit #16, who has not been there for over a year, but the reality is that each individual unit owner pays taxes and utilities individually, yet did not receive an individual notice of this meeting. Should that have been done, and does that create problems? If so, perhaps this meeting should be tabled so that these people can be notified and given an opportunity to be here and to express any concerns that they may have. I found out about the meeting accidentally but actual notification did not occur. This is a major project which is going to affect a lot of people who are concerned about it and the legal aspect of this should be considered the floor, not the ceiling with respect to the requirement. It is a major undertaking for this mixed-use area that includes residential properties. It's a matter of what's right and what's wrong; the people should be given the opportunity to be here. J. Levandowski clarified that, per state RSA, only the condominium association has to be notified, not the individual condo owners. D. Fenstermacher said we included the same abutter list as for the ZBA application.

L. Coakley stated that she and her neighbor are here only because they went to the ZBA meeting and were told when this meeting would be, but she also did not get formal notification. B. Parker said there was discussion in the office before notices went out and to be consistent we followed the state law and we used the latest information that the Assessor's office had. P. Amato said he was uncomfortable with the inconsistency here and a brief discussion ensued. J. Langdell added that these meetings are videotaped, aired on Comcast Channel 21, and are streamed on the town website; there is access to the information. I don't feel that any final decision will be made on this tonight, so there would be opportunity for individuals to come to the next meeting. B. Parker said we have been consistent with notifying the condo associations and doesn't really know what happened for the

ZBA meeting, but we would be very willing to send notices out for the continued meeting. D. Fenstermacher said we respect everyone's right to comment on this project. If there were a procedural defect, we would not want to proceed, but since state law has been followed we would agree to proceed and can send notices to all abutters. No one's rights will be prejudiced. Chairman Beer polled the Board and all agreed that there would be no harm to proceed. B. Parker said staff will send notice to all abutters from the ZBA list, for the July meeting.

P. Amato made a motion that both applications for this project did not pose potential regional impact. J. Langdell seconded. P. Amato, T. Finan, C. Beer, J. Langdell and J. Plant voted in favor. S. Duncanson voted in the negative saying this will bring more traffic from abutting towns. Vote 6-1-0; motion carried. S. Wilson read the abutters list for both applications into the record.

J. Sokul presented the following plans for consideration: Subdivision & Consolidation Plan dated 4/06/15, Proposed CVS Pharmacy plan dated 5/8/15, Architectural Plans dated 6/15/15, Proposed Sign Package dated 6/11/15 and the CLD conceptual design plan dated 1/23/08: Figure 9 Conceptual Alternatives Nashua St / Edgewood Plaza.

J. Sokul gave an overview of the subdivision and site plan for the 13,600 SF CVS pharmacy with drive-thru. We have met with staff. We know and recognize that this project lies within the Nashua Elm Street Overlay district and have made every effort to comply to the fullest extent practical. We've taken staff and Board comments into consideration for this revised plan. We received a special exception from the ZBA from open space requirements at the shopping center, resulting from the proposed subdivision. We believe we have an excellent project. We also understand this is in an area of special interest to the town with respect to traffic and have done a thorough and detailed traffic analysis performed. The plans do not show a traffic signal, as one is not warranted by trip generation and other NH DOT standards. Our strong preference, as well as staff's, would be that a traffic signal go here and would like the opportunity to work as a team with staff and DOT to do so. We have several waiver requests that provide a good middle ground between complying with the performance standards and coordinating with the existing shopping center which is set back from Nashua St. We also anticipate coordinating with any Nashua St improvements.

D. Fenstermacher explained the existing conditions and future demolition. We are proposing a 13,600SF CVS pharmacy with two access points. We will take access off Nashua St from an existing entrance and are working with Platinum Holdings to come up with an agreeable layout for that area to not impact the parking or circulation of lot 43/57. The intent for Clinton St is to consolidate the curb cuts into one driveway furthest away from the intersection to anticipate a future traffic signal. There will be full access at both points and two deep parking bays with a 30'-50' landscaping buffer along Nashua St with a bio-retention area. The circulation for the drive-thru and loading area has been kept away from the front of the store and from the pedestrian movements. We will be adding a turn lane and a sidewalk to Clinton St as part of the traffic mitigation. The CVS lot will meet the open space requirements. There is a minor increase of impervious surface on the site and we will mitigate with underground detention and bio retention swales along the perimeter and landscaping. We will submit for the AoT permit as we are within 250ft of Shoreland and 50,000SF of site disturbance. Fifty-four (54) parking spaces are required and we're providing seventy-one (71) spaces, but we're looking to meet the overall requirement for the shopping center and the excess is for the shopping center as a whole.

Waiver requests:

The handicap parking we are proposing will be 18' x 12' with a 5' unloading area. We are still providing the standard ADA space but this will make for consistent parking rows. The driveway width is due to the curb radius needed to get emergency vehicles and trucks into the site. The landscaping will meet the required number in the regulations but the location will be redistributed. It is a prototype to have a flush curb along the storefront, but CVS has agreed to do the vertical granite curb, so we are officially withdrawing the request. The front parking has to do with the transition between the requirements of the overlay district and the existing shopping center. We will work with the Water and Sewer Departments.

Landscaping:

G. Leedy said we are looking at this as a redevelopment project, so we are trying to find a transition between the existing standard shopping center and today's requirements with a 35' build-to requirement. Today there are wide open curb cuts, a lot of pavement and a building that is set back 200'. He explained how the site design evolved

and stated that we eliminated a row of parking and drive aisle from the original presentation and pulled the building forward a bit to provide a landscape buffer and a streetscape for that section of Nashua St. Since the shopping center was built prior to current stormwater requirements, there are no water quality measures in the drainage system so several infiltration basins have been sited along the Nashua St and Clinton St frontage with plantings using native materials; winterberry, blueberry, serviceberry and red maple trees. It will provide a decent screen for the parking. Along the rear property line, we are proposing a 6' wooden fence with evergreens and more substantial trees. A row of low growth shrubbery and sumac will separate the shopping center and CVS. We wanted to ensure that we would be able to accommodate any situation for signals, which dictated access, site layout and building location. This is a fair middle ground and the site serves as a transition from the denser more street oriented buildings to the west to the more open properties as one heads east. Responding to comments received from Mr. Fougere and staff regarding landscaping, there is a strong potential of saving the maple tree at Clinton and Nashua Streets and it will be approximately seventeen (17') ft off the proposed sidewalk. Unfortunately, we are not going to be able to save several of the large trees behind the existing houses. Overall, this will be an improvement, especially to the Nashua St frontage.

Architecture:

S. Capello reviewed the elevation details and highlighted the revisions since the conceptual discussion. We added a mansard roof on all four sides to make it look more residential and befitting to the area. We added a couple more gable structures to break up the long facades and roofline. We also added a few more storefront windows on the west elevation for aesthetics. Some of the window area will have additional glazing as to prevent certain interior views and CVS Pharmacy has a graphics team that will submit three different options for that; the red prototypical CVS package, frosted glass, or the urban graphics package that could consist of pictures of the town or area on a film inside the window.

Signage

R. Westergren said we are proposing two sets of wall signage; one on the north elevation facing Nashua St and one on the east elevation facing the parking lot and the size is negotiable at this point. There will be no signage on Clinton St with the exception of identification on the canopy for the drive-thru window. The freestanding sign on Nashua St will contain a red monochromatic electric message center and will conform to code.

J. Langdell inquired about the store hours and noted that other chains stores with signs in commercial/residential areas don't have them illuminated after a certain hour or after the store closes. D. Fenstermacher replied that typical hours are from 7am to 10pm and generally from an energy conservation standpoint, the lighting will be turned off but he will get clarification from CVS. R. Westergren reiterated there will not be any signs on the Clinton St side and the pylon sign will be facing sideways. It will not be seen from across the street. P. Amato asked if wall signs are allowed on both sides of the building. J. Levandowski said she has not reviewed the plans yet, but as long as the square footage stays within the requirements, the signs can be put anywhere.

Traffic

N. Sanders said this redevelopment project looks to implement access management improvements in several ways. We will remove two (2) curb cuts on Nashua St and three (3) driveways on Clinton St consolidating them into one (1) access point on Clinton St. Additionally, this plan will provide internal connections to the plaza and a sidewalk on Clinton St to fill in the 150' gap of the existing pedestrian facility. There is a clear line of sight from the egresses on Clinton St and Nashua St, in both directions. The trip generation was based on the ITE rates of a pharmacy, so CVS will generate 135 trips during the peak weekday evening condition and 110 trips during Saturday peak midday conditions; however, approximately 10% of that traffic is expected to be internal capture or shared trips between the proposed facility and the existing plaza. In addition, a substantial portion of traffic, approximately 50% is typically pass-by traffic. That breaks down to 60 new trips during the weekday evening peak and 50 new trips on Saturday midday period. We did not provide a reduction of traffic for the existing uses on the sites when the data was collected in May, 2013. The numbers are close to the DOT threshold to trigger a formal traffic impact study evaluation but the CVS pharmacy is not a very large traffic generator. He then explained the data collection and reviewed the analysis in the Traffic Study dated 10/17/14. The traffic operations don't show much change from what's out there today and what is projected. We collected data from the two driveways on Nashua St and the intersection at Nashua and Clinton Streets. All intersections operated, especially for left turns, at service levels E's and F's; however, the northbound movement from Clinton to Nashua does drop to a level of service F as a result of this proposed development so the applicant is proposing a northbound right

turn lane at Clinton St, which is the predominant flow, to bypass any queue for left turns and helps improve the overall delay of that approach. In addition to the traffic impact study, a signal warrant evaluation was conducted specifically at Clinton St and that warrant evaluation was based on graphic data collected along Nashua St as well as NH DOT crash records. We looked specifically at warrant #3 and warrant #7; however, neither the peak volumes or crash data was high enough to trigger those thresholds in the MUTCD but it does appear that under the condition where all of the left turns collectively were combined then the minimum peak hour warrant may be met. This could be accomplished by an access management program and is going to be critical to get a large enough volume exiting at one consolidated point to trigger that warrant. J. Langdell gave a brief history of the Oval Area Improvements plan. N. Saunders said the project team has reached out to DOT to get the ball rolling, but we have had no response yet. Nevertheless, any one of these plans works well with the proposed layout. If the signal is approved at this location, as part of the Nashua St project or anything else, the applicant would be willing to participate in making a financial contribution towards the implementation of that signal equipment. This plan does work well towards improving the access management and safety by; eliminating the curb cuts, providing internal connections to the adjacent shopping plaza, filling in the gaps in the existing sidewalk system, and adding a separate right turn lane on Clinton St.

P. Amato asked how far are we from needing a light on this road as we have an opportunity to potentially make a situation better. N. Saunders explained that this is a town road within the urban compact area but state RSAs govern traffic signals. It is the applicant's desire to have signalization at Nashua St; to help their customer base and to progress traffic more efficiently. We are pretty far away from meeting the warrant just at Clinton St so it will take the access management plan to bring the volumes together to get really close to meeting the numbers. J. Langdell said she thought NH DOT was going to look the entire stretch, for good planning. N. Saunders said that is where our case can be made; this is not just an isolated intersection and should be looked at in a more comprehensive manor for the entire segment of roadway and evaluate the safety benefits of eliminating some of those left turns there. D. Fenstermacher said VHB, town staff, and CLD will be meeting with DOT and we should have more information next month. J. Langdell reiterated the importance of moving something forward for this section of roadway. T. Basso noted that DOT is without a commissioner or an assistant commissioner; that's the reality we face. P. Amato said he is not comfortable with the location of the entrance on the County Stores site. D. Fenstermacher said we are trying to anticipate a signal and that entrance is a moving part. We don't take this into account in our traffic study, but there will be a cross access easement for the shopping center through the CVS lot to access Clinton St. J. Langdell asked if the traffic movements from the service station were factored in. N. Saunders replied no, they are not and it could be added to the conversation with DOT.

J. Langdell asked if there would be any landscaping improvements to spruce up Edgewood Plaza. D. Fenstermacher said we would have to coordinate with the property owner, but didn't see a problem with that.

Chairman Beer opened the meeting to the public.

L. Coakley stated that there are a number of entrances along Nashua St and asked how the proposed turning lanes or a traffic signal light would affect left turns from the other side of Nashua St. Also, did the traffic study take into account the Tonella Rd intersection issues or the County Stores other entrance? It seems that wider area traffic isn't going to get any better. J. Langdell said how much of that is the applicant's responsibility for this site's development. It is wonderful that this team is willing to work with the bigger picture and maybe it is the job of the Town. C. Beer said there is a desire to put a traffic light in which will help all of the entrances in that area because it will provide some traffic calming. A light at Clinton St would stop traffic coming from the oval and that should help with left turns out of the Stonehouse Condominiums. L. Coakley said only if it also stopped traffic coming from Shaws, before the County Stores plaza. D. Fenstermacher referenced the CLD access management report which addresses traffic on both sides of the road. N. Saunders reiterated that all the curb cuts are part of the process and are being taken into consideration.

A. Jowders asked if the traffic would back up in front of his and his neighbor's driveways if a traffic light went in. Also, he is directly across Clinton St from the proposed cut thru. Vehicle headlights will shine directly into his windows. N. Saunders said we haven't run the signal evaluation but generally signalized approaches reduce the queues from unsignalized ones. A signal provides gaps on the mainline and allows the minor street traffic to process more efficiently. D. Fenstermacher added that the queuing would not extend past the CVS entrance. G.

Leedy said if headlights are an issue, we are certainly willing to have a conversation with you to work out a solution.

S. Hasu inquired if a higher fence could be put up between the CVS and his property. Also, will the trees abutting his house remain? G. Leedy said those trees would be coming out to make way for the drive. D. Fenstermacher said the plans shows the new fence. B. Grimard stated that there is a 4' change in elevation between the two properties so a 6' fence won't do anything. Would it be possible to put in a 10' fence? G. Leedy stated that the proposed arborvitaes are fast growing and will get 15'-20' tall. S. Jones requested a chain link fence with inserts. G. Leedy said a quality wood fence would be much nicer and CVS will certainly maintain the fence. D. Fenstermacher said we will look into the fencing and work with the neighbors.

J. Plourde, Woodhawk Dr, stated that he has done work with CVS and they are great developers and take very good care of their properties. The assumptions and methodologies used in the traffic study are within traffic engineering standards and are all acceptable. From a traffic impact perspective, we're not going to see that much of an increase in traffic associated with this development. What it really comes down to is, instead of having a vacant site and trying to figure out what the impacts will be, we already know what the problems are, out here, and it is kind of a benefit for us residents and the Board to try to understand and come up with some solutions to fix some of the problems. Would it also be possible to push some of the parking spaces along Nashua St back some to improve the sight lines. Coming out of County Stores, whether turning right or left, you are on the inside of the curve and can't see traffic coming from the west due to the parked cars. C. Beer clarified that area was owned by County Stores and not in the purview of this developer. J. Langdell added that the sight distance has been brought up before and was worth a conversation between both parties. G. Leedy said there might be a way to pull some of that parking away from Nashua St without losing any spaces and if the corridor plans are implemented, part of that addresses that very issue.

Chairman Beer acknowledged correspondence from:

Michael Labrecque - received 6/14/15

Terry & Carolyn Strout - received 6/16/15

Maria Moreira & Lee Kramar – received 6/10/15

Mark Fougere – received 6/13/15

Chairman Beer closed the public portion

S. Duncanson made a motion to table both applications to the 7/21/15 meeting. J. Plant seconded and all in favor. Vote 6-0-0; motion carried.

The meeting was adjourned at 11:00PM.

MINUTES FROM THE 6/16/15 MEETING WERE APPROVED AT THE 7/21/15 MEETING

Motion to approve: S. Duncanson

Seconded by: T. Finan